

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re

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Chapter 11

**MOTORS LIQUIDATION COMPANY, et al.,**  
f/k/a General Motors Corp., et al.,

Case No.: 09-50026 (REG)

Debtors.

(Jointly Administered)  
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**ORDER DENYING THE RELIEF REQUESTED IN PLAINTIFFS LAWRENCE  
AND CELESTINE ELLIOTT'S NO STAY PLEADING PURSUANT TO  
THE COURT'S SCHEDULING ORDERS AND MOTION FOR ORDER OF  
DISMISSAL FOR LACK OF SUBJECT MATTER JURISDICTION  
PURSUANT TO BANKR. R. 7012(b) AND FOR RELATED RELIEF**

Upon the *Plaintiffs Lawrence And Celestine Elliott's No Stay Pleading Pursuant To The Court's Scheduling Orders And Motion For Order Of Dismissal For Lack Of Subject Matter Jurisdiction Pursuant To Bankr. R. 7012(b) And For Related Relief* ("Elliott Pleading") filed by Lawrence and Celestine Elliott ("Elliott Plaintiffs") [Dkt. No. 12772]; and upon the *Response by General Motors LLC to No Stay Pleading Filed by the Elliott Plaintiffs*, filed by General Motors LLC [Dkt. No. 12782] ("Response"), and upon the other documents filed with the Court related to this matter; and a hearing (the "Hearing") having been held with respect to the Elliott Pleading and the Response on August 5, 2014; and upon the record of the Hearing, the Court having orally found and determined that the relief requested in the Elliott Pleading should be denied ("Oral Ruling"); and upon the Court issuing its *Decision with Respect to No Stay Pleading and Related Motion to Dismiss for Lack of Subject Matter Jurisdiction (Elliott Plaintiffs)* on August 6, 2014 [Dkt. No. 12815] ("Decision"), memorializing and amplifying the Oral Ruling issued at the Hearing; and after due deliberation and sufficient cause appearing therefore, it is hereby

**ORDERED** that the relief requested in the Elliott Pleading is denied in its entirety for the

reasons set forth in the Decision; and it is further

**ORDERED** that the Elliott Plaintiffs' claims will be treated the same as those in the other Ignition Switch Actions.<sup>1</sup> The stay already imposed by the injunctive provisions of Paragraphs 8 and 47 of the Sale Order and Injunction (and that the Court may also impose by preliminary injunction) will remain in place insofar as it affects the Elliott Plaintiffs' amended complaint—subject to the right, shared by all of the other Plaintiffs in the Ignition Switch Actions, to ask that the Court revisit the issue after September 1; and it is further

**ORDERED** that the Bankruptcy Court shall retain jurisdiction to interpret and enforce this Order.

Dated: New York, New York  
August 12, 2014

*s/ Robert E. Gerber*  
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Honorable Robert E. Gerber  
United States Bankruptcy Judge

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the *Motion of General Motors LLC Pursuant to 11 U.S.C. §§ 105 and 363 to Enforce the Court's July 5, 2009 Sale Order and Injunction*, dated April 21, 2014 [Dkt. No. 12620].